

**PROPOSED PLAN CHANGES 81 AND 82 TO THE  
OPERATIVE SELWYN DISTRICT PLAN  
DIRECTIONS OF THE COMMISSIONER  
MINUTE 1**

**INTRODUCTION**

- [1] Pursuant to section 34(A)(1) of the Resource Management Act 1991 (RMA), Selwyn District Council has delegated to me as an Independent Commissioner the functions of hearing the submissions on Proposed Plan Changes 81 and 82 to the Selwyn District Plan.
- [2] The following directions and requests relate to the hearing.

**HEARING ADMINISTRATOR**

- [3] The Council has appointed a Hearings Administrator who is:

Grace Hadfield

[submissions@selwyn.govt.nz](mailto:submissions@selwyn.govt.nz)

03 347 2800

**THE PLAN CHANGES**

- [4] Plan Changes 81 and 82 are Private Plan Change Requests by Rolleston Industrial Development Ltd and Brookside Road Residential Ltd respectively. Both Plan Changes seek to rezone areas of land to the southwest of Rolleston from Rural Outer Plains to Living MD. The Plan Changes include Outline Development Plans and have incorporated the Medium Density Residential Standards. As a result, a new zone called Living MD is proposed for these areas. From reading the plan change material it is evident that the MDRS has been incorporated after consultation with the Council and in a manner that is generally consistent with the forthcoming Council variation to the Proposed District Plan.

**COMBINED HEARING**

- [5] It is understood that the two plan change requestors have commonalities and therefore common interest. As a result it is proposed to conduct a combined hearing of the two plan changes. It is expected this will result in a number of efficiencies for all parties.
- [6] This will result in a single Recommendation Report addressing both Plan Changes. This will also enable the combined and or cumulative effects of both Plan Changes to be evaluated through the hearing of submissions. Expert witnesses for the proponent and the Council and any submitters who have submitted on both Plan Changes should have specific regard to this in their evidence or submissions.

**HEARING DATES AND TIMES**

- [7] Subject to the above the hearing has been set down for Monday 12 September and

Tuesday 13 September 2022 with a reserve day if required on Wednesday 14 September.

[8] The hearing will be held at in Te Whare Tapere – Tahi in Te Ara Ātea, 59 Tennyson Street, Rolleston.

[9] The hearing will commence at 10 am on the Monday and 9 am thereafter. The hearing will generally conclude at 5.00pm each day.

[10] Breaks during the day will be as follows:

- |                 |                                      |
|-----------------|--------------------------------------|
| ▪ Morning tea   | 10.30 to 10.45am (except the Monday) |
| ▪ Lunch         | 12.30 to 1.30pm                      |
| ▪ Afternoon tea | 3.00 to 3.15pm                       |

[11] The Hearing Administrator will be in contact with submitters to arrange an order of appearance and an allocation of speaking time.

[12] At the start of the hearing there will be an opportunity for submitters to raise any procedural matters. Thereafter the order for each topic will be as follows:

- The Plan Change Proponents.
- Submitters in support
- Submitters in opposition
- Council s42A report authors
- Proponent Replies.

[13] Individual submitters who are members of the public wishing to be heard (and who are not calling witnesses to support their case) will generally each be allocated **15 minutes** to speak to their submissions unless a longer time slot is specifically requested.

[14] Where submitters wish to be heard on both Plan Changes they will be able to present submissions on both plan changes at one time and will be given additional time if required.

[15] Submitters raising the same or similar matters of concern are encouraged to group together and make joint presentations at the hearing.

#### **PRE-CIRCULATION OF MATERIAL**

[16] A section 42A report will be made available on or before **Friday 19<sup>th</sup> August 2021**, allowing the proponent and submitters to have regard to its contents when preparing their evidence. These reports will assess the proposed plan change in order to provide recommendations on submissions to the hearing.

[17] Pursuant to section 41B and Clause 29(3) of the First Schedule, the Plan Change requestors are directed to provide any written statements of evidence to the Hearings Administrator no later than 4.00 pm on **Friday 26th August 2022**.

[18] Submitters who intend to call expert evidence in support of their submissions are directed to provide a written statement of that evidence to the Hearings Administrator

no later than 4.00pm on **Friday 2<sup>nd</sup> September 2022**.

[19] It is also requested that any legal submissions on behalf of the proponent, submitters and Council are provided to the Hearings Administrator by 4.00 pm on **Wednesday 7<sup>th</sup> September 2022**.

[20] All pre-circulated material will be taken as read at the hearing. All experts are, therefore, directed to highlight key points of their evidence and areas of disagreement with other experts at the hearing.

[21] If Submitters intend to provide written evidence themselves, or have non-expert people appear on their behalf, then they are directed to bring with them to the hearing 20 copies of that material or provide it to the Hearings Administrator no later than 4.00pm on **Friday, 9<sup>th</sup> September 2022**.

[22] Should any submitter wish to speak in Te Reo, utilise Sign Language, or utilise visual aids (PowerPoint, etc) they are requested to liaise directly with the Hearings Administrator prior to **Friday 2<sup>nd</sup> September** regarding their needs.

#### **EXPERT CONFERENCING**

[23] Expert witnesses presenting technical expert evidence may be requested to participate in expert conferencing matters relevant to their specific areas of expertise and to produce a Joint Witness Statement on that topic. This will be confirmed by way of a further Minute at a later date or at the hearing itself.

[24] All expert witnesses, in both preparing and presenting their evidence as well as when attending expert conferencing, are expected to comply with the Environment Court Consolidated Practice Note 2014 – Expert Witness Code of Conduct available at the following website.

<http://environmentcourt.govt.nz/assets/Documents/Publications/2014-ENVC-practice-notes.pdf>

#### **SITE VISITS**

[25] A preliminary site visit of both sites will be undertaken ahead of the hearing commencing. It is also likely that I will make a further site visit ahead of closing the hearing.

#### **SERVICE ON THE COUNCIL**

[26] All material addressed by this Minute must be lodged with the Hearings Administrator by either:

- Preferably email to Grace Hadfield at [submissions@selwyn.govt.nz](mailto:submissions@selwyn.govt.nz); or
- Post addressed to Grace Hadfield, Selwyn District Council, 2, Norman Kirk Drive, Rolleston; or
- Hand delivery to Grace Hadfield, Selwyn District Council, 2, Norman Kirk Drive, Rolleston.

All material received will be available as soon as reasonably possible to all parties from the Selwyn District Council website at the following links:

<https://www.selwyn.govt.nz/pc81>

<https://www.selwyn.govt.nz/pc82>

A handwritten signature in blue ink, appearing to read 'Paul Thomas', is written over a light blue rectangular background.

Paul Thomas

**Independent Commissioner**

Dated: 14 July 2022